

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

Melbourne
23550

FILE: B-207496

DATE: November 9, 1982

MATTER OF: Leland G. Jackson

DIGEST: Although travel orders reflected higher estimated cost based on common carrier transportation using terminal at Melbourne, Florida, employee who traveled by privately owned vehicle to and from Patrick Air Force Base, Florida, as matter of personal preference is entitled to mileage reimbursement limited to lower cost airfare based on travel by way of airport at Orlando, Florida. Where two air terminals serve same origin or destination, constructive cost reimbursement should be based on routing by way of air terminal giving Government benefit of lower transportation costs.

The Accounting and Finance Officer, Defense Depot Memphis, Defense Logistics Agency, requests our decision on whether an employee who used his privately owned vehicle, in lieu of common carrier, for temporary duty travel may be reimbursed on a round-trip mileage basis in an amount not to exceed the estimated travel cost indicated on his travel orders. Notwithstanding the higher estimated cost indicated in his orders, the employee's mileage reimbursement may not exceed the constructive cost of air carrier transportation that would have been provided by the transportation officer.

The request was forwarded to us by the Department of Defense, Per Diem, Travel and Transportation Allowance Committee, under Control No. 82-11.

Mr. Leland G. Jackson, an employee of the Defense Property Disposal Region, Memphis, was directed to travel from Lexington, Kentucky, to Patrick Air Force Base, Florida, and return for the purpose of attending a workshop. His travel orders authorized common carrier air travel and reflected an estimated travel cost of \$394. This estimate was furnished by the passenger travel office, Defense Depot Memphis, and was based on the

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airfare for travel between Lexington and the municipal airport at Melbourne, Florida. Mr. Jackson traveled by privately owned automobile for his personal convenience. Upon completion of the temporary duty, Mr. Jackson's claim for reimbursement of transportation costs on a mileage basis was limited to the \$278 fare for round-trip air travel between Lexington and the municipal airport at Orlando, Florida. Although the distance between Patrick Air Force Base and the airport at Orlando is 40 miles greater than the distance between the Base and the airport at Melbourne, both airports are listed in the Terminal Facilities Guide, DLAH 4510.13, as passenger terminals serving Patrick Air Force Base.

In claiming that his reimbursement should be based on the higher estimated cost stated in his travel orders, Mr. Jackson contends that the routing by way of Orlando is circuitous and was based on an after-the-fact determination which should not be used; that other travelers were routed directly to Melbourne; and that the estimated travel cost of \$394 influenced him to use his personal automobile at additional cost.

Under the provisions of 5 U.S.C. § 5704 (1976) and the implementing regulations contained in the Federal Travel Regulations (FTR) (FPMR 101-7), an employee who is authorized to travel by common carrier but who travels by privately owned vehicle as a matter of personal preference is entitled to mileage reimbursement limited to the cost of travel by common carrier, including applicable per diem. See FTR para. 1-4.3.

Volume II of the Joint Travel Regulations (2 JTR) implements the FTR for civilian employees of the Department of Defense. Paragraph C2152 of the JTR provides that an employee who uses a privately owned vehicle as a matter of personal preference will have mileage reimbursement limited to the constructive cost of the mode of common carrier that would have been provided by the transportation officer.

The Chief of the Travel Section, Defense Depot Memphis, states that the constructive travel cost is computed using the actual routing and cost that would have been involved if Mr. Jackson had traveled by air, based

upon the time and date he was required to be at the temporary duty location and the time and date he completed his temporary duty as shown on his travel voucher. She notes that estimates of travel costs are usually high enough to commit adequate funds. She further states that she had been informed by Defense Property Disposal Region, Memphis, prior to the workshop that a van would be at the Orlando airport to transport people arriving at this airport to Patrick Air Force Base. Therefore, if Mr. Jackson had not driven his automobile, the transportation officer would have scheduled his air travel by way of the Orlando airport where ground transportation had been arranged.

In Mr. Jackson's case, both the Orlando and Melbourne airports are recognized by regulation to be passenger terminals serving Patrick Air Force Base. Therefore, travel by way of Orlando would not constitute a circuitous route as Mr. Jackson has suggested. Since lower cost air transportation was available with arrival and departure from Orlando, the travel officer properly routed the travel of others attending the workshop by way of the Orlando airport. For this reason, we find that Mr. Jackson's mileage reimbursement was properly limited on the basis of the \$278 cost of air carrier transportation arriving at and departing from the Orlando airport. See B-171575, February 2, 1971. The \$394 amount reflected in his travel orders is clearly shown as a cost estimated and creates no additional entitlement.

for Milton J. Rowland
Comptroller General
of the United States